

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 2 1978

Returned to applicant for correction

Corrected application filed Map filed NOV 2 1978 under 36122

The applicant Southern Pacific Co., Land Division

65 Market St. of San Francisco
Street and No. or P.O. Box No. City or Town

Ca 94105, hereby make application for permission to change the
State and Zip Code No.

place of use and point of diversion

of water heretofore appropriated under permit 22491

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground
Name of stream, lake or other source.

2. The amount of water to be changed 0.81 of 2.71 cfs
Second feet, acre feet.

3. The water to be used for irrigation and domestic
If for stock state number and kind of animals.

4. The water heretofore used for irrigation and domestic
If for stock state number and kind of animals.

5. The water is to be diverted at the following point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 35, T39N, R36E,
MDB&M; or a point from which the NE corner of said sec. 35 bears
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
N 36° 24' E. 2460 ft.
stated.

6. The existing point of diversion is located within Lot 5 sec. 25, T39N, R36E, MDB&M;
or a point from which the SE corner of said sec. 25 bears S 44°
If point of diversion is not changed, do not answer.
56' E. 63.6 ft.

7. Proposed place of use portions of NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of sec. 35,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
T39N, R36E, MDB&M (NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.45 ac., NE $\frac{1}{4}$ NW $\frac{1}{4}$ 37.02 ac., NE $\frac{1}{4}$ NE $\frac{1}{4}$ 32.65
ac., SE $\frac{1}{4}$ NE $\frac{1}{4}$ 31.36 ac., SW $\frac{1}{4}$ NE $\frac{1}{4}$ 35.57 ac., SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.36 ac., NE $\frac{1}{4}$ SW $\frac{1}{4}$
2.46 ac., NW $\frac{1}{4}$ SE $\frac{1}{4}$ 37.02 ac., NE $\frac{1}{4}$ SE $\frac{1}{4}$ 32.65 ac.) total 213.54 ac.

8. Existing place of use 57.32 ac. Lot 1, 58.33 ac. lot 2, 59.33 ac. lot 3,
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
40.0 ac. lot 4, 20.32 ac. lot 5, 80.0 ac. W $\frac{1}{2}$ NE $\frac{1}{4}$, 80.0 ac. W $\frac{1}{2}$ SE $\frac{1}{4}$,
319.70 ac. in W $\frac{1}{2}$ all in sec. 25, T39N, R36E, MDB&M, total 715.0 acres

9. Use will be from January 1 to December 31 of each year.
Day and Month Day and Month

10. Use has been from January 1 to December 31 of each year.
Day and Month Day and Month

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) well, pump, pipelines and ditches
State manner in which water is to be diverted, whether by dam or other works;

whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....excess of \$10,000.....
13. Estimated time required to construct works.....2 years.....
14. Estimated time required to complete the application of water to beneficial use.....3 years.....
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The purpose is to transfer the water to more favorable land.

Compared.....lp/ga.....jm/dh..... Applicant Southern Pacific Co. Land Division

By.....s/ J.R. Caldwell.....

P.O. Box 432

Winnemucca, Nv 89445

APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use of a portion of the waters of an underground source as heretofore granted under Permit 22491, Certificate 7699, is issued subject to the terms and conditions imposed in said Permit 22491, Certificate 7699, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined amount of water granted under this permit and Permit 36124 is limited to what the well covered under the two permits is capable of producing. If certificates of appropriation are issued under this permit and Permit 36124, the total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the two permits is capable of producing.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....81.....cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....December 5, 1979.....

Proof of commencement of work shall be filed before.....January 5, 1980.....

Work must be prosecuted with reasonable diligence and be completed on or before.....December 5, 1980.....

Proof of completion of work shall be filed before.....January 5, 1981.....

Application of water to beneficial use shall be made on or before.....December 5, 1983.....

Proof of the application of water to beneficial use shall be filed on or before.....January 5, 1984.....

Map in support of proof of beneficial use shall be filed on or before.....January 5, 1984.....

Commencement of work filed.....JAN 18 1980.....

Completion of work filed.....JAN 8 1981.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

Recorded.....Bk.....Page.....

IN TESTIMONY WHEREOF, I, WILLIAM J. NEWMAN

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 5th day of JUNE

A.D. 1979

Winnemucca, Nevada

State Engineer